

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Judith A. Parkel, et al.,)	C.A. No. 4:07-3009-TLW-TER
)	
Plaintiffs,)	
)	
vs.)	ORDER
)	
The State of South Carolina, et al.,)	
)	
Defendants.)	
_____)	

The plaintiffs brought this *pro se* civil action against the defendants, raising a number of federal and state law claims. Previously, the state defendants were dismissed from this action. The remaining defendants have now moved for summary judgment.

This matter is now before the undersigned for review of the Report and Recommendation (“the Report”) filed August 17, 2009, by United States Magistrate Judge Tom Rogers, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.). In his Report, Magistrate Judge Rogers recommends that the motions for summary judgment be granted as to plaintiff’s federal causes of action, that the court decline to exercise jurisdiction over the state law causes of action, and that this case be dismissed. On September 4, 2009, plaintiffs filed objections to the Report.

This Court is charged with reviewing the Magistrate’s Report and the plaintiff’s objections thereto. In conducting this review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections. . . . The Court is not bound by the recommendation of

the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a de novo determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the Report and Recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F.Supp. 137, 138 (D.S.C. 1992)

(citations omitted).

In light of this standard, the Court has carefully reviewed, de novo, the Report and the objections thereto and has concluded that the Report accurately summarizes this case and the applicable law. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 270) and Defendants' motions for summary judgment are **GRANTED**. This case is dismissed.

IT IS SO ORDERED.

S/ Terry L. Wooten

TERRY L. WOOTEN
UNITED STATES DISTRICT JUDGE

September 21, 2009
Florence, South Carolina